

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

UNITED STATES COURTHOUSE

500 PEARL STREET

ROOM 520

NEW YORK, NEW YORK 10007

DATE: MARCH 15, 2004.

CLERK,
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
1 COURTHOUSE WAY
BOSTON, MA. 02210

RE: USA - V - LANCE STEVEN TIRSO
ROXAS

SDNY MAG. DOCKET # 04 MAG. 483

DEAR SIR/MADAM:

REFERRING TO THE ABOVE CAPTIONED MATTER, PLEASE BE ADVISED, FOR
RECORD PURPOSES, THAT THIS MATTER HAS BEEN DISPOSED OF AS
FOLLOWS:

- () 1. DEFENDANT (UPON WAIVER OF HEARING) REMANDED TO
THE U.S. MARSHAL FOR REMOVAL.
- (XXXXXX) 2. DEFENDANT (UPON WAIVER OF HEARING) BAILED FOR
HIS APPEARANCE IN YOUR DISTRICT. BOND ENCLOSED.
- () 3. PROCEEDINGS DISMISSED INCIDENT TO TURNOVER OF
DEFENDANT IN STATE EXTRADITION PROCEEDING.
- () 4. COMPLAINT DISMISSED BY YOUR DISTRICT.

YOURS TRULY,

J. MICHAEL MCMAHON
CLERK OF COURT

BY 
DEPUTY CLERK

PLEASE ACKNOWLEDGE RECEIPT OF RULE 5(c)(3)
DOCUMENTS ON COPY OF THIS LETTER.

GILBERT QUAN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES COURTHOUSE
500 PEARL STREET
ROOM 520
NEW YORK, NEW YORK 10007

DATE: MARCH 15, 2004.

CLERK,
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
1 COURTHOUSE WAY
BOSTON, MA. 02210

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BY


DEPUTY CLERK

GILBERT QUAN

**U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:04-mj-00483-ALL
Internal Use Only**

Case title: USA v. Roxas
Other court case number(s): None
Magistrate judge case number(s): None

Date Filed: 03/08/04

Assigned to:
Referred to:

Defendant(s)

Lance Steven Tirso Roxas (1)

represented by **Robert A Soloway**
Rothman, Schneider, Soloway & Stern, LLP
70 Lafayette Street, 7th Floor
New York, NY 10013
212-571-5500
Fax : 212-571-5507
Email: RSSST4@AOL.COM
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment


Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

**A TRUE COPY
UNITED STATES MAGISTRATE
FOR THE SOUTHERN DISTRICT OF N.Y.**

DEPUTY CLERK

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Disposition

18:371:CONSPIRACY TO COMMIT
PASSPORT FRAUD.

Plaintiff**USA**

represented by **Christopher L. Garcia**
 U.S. Attorney's Office
 One St. Andrew's Plaza
 New York, NY 10007
 212-637-1022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Filing Date	#	Docket Text
03/03/2004	1	RULE 5(c)(3) AFFIDAVIT (District of Massachusetts) of William T. Noone, Special Agent, Diplomatic Security Service, United States Department of State, as to Lance Steven Tirso Roxas. (Signed by Magistrate Judge Michael H. Dolinger on 3/8/2004) (gq,) (Entered: 03/15/2004)
03/08/2004		Arrest (Rule 5(c)(3)) of Lance Steven Tirso Roxas. (gq,) (Entered: 03/15/2004)
03/08/2004	2	CJA 23 Financial Affidavit by Lance Steven Tirso Roxas. (Signed by Judge Michael H. Dolinger) (gq,) (Entered: 03/15/2004)
03/08/2004		Attorney update in case as to Lance Steven Tirso Roxas. Attorney Robert A Soloway for Lance Steven Tirso Roxas added. (gq,) (Entered: 03/15/2004)
03/08/2004		Minute Entry for proceedings held before Judge Michael H. Dolinger :Initial Appearance in Rule 5(c)(3) Proceedings as to Lance Steven Tirso Roxas held on 3/8/2004. Appearance entered by Robert A Soloway for Lance Steven Tirso Roxas on behalf of defendant. AUSA Christopher Garcia present for the gov't. Agreed bail package: \$20,000 PRB. Travel restricted to SDNY, EDNY, District of New Jersey (District of Massachusetts and intervening districts to appear in Mass). Surrender travel documents (& no new applications). None. Strict pretrial supervision. Drug testing/treatment. Waives Rule 5(c) hearings. Calendar for 3/22/04 at 10:30 A.M. (gq,) (Entered: 03/15/2004)
03/08/2004	3	PRB APPEARANCE Bond Entered as to Lance Steven Tirso Roxas in amount of \$20,000. Travel limited to SDNY, EDNY, District of New Jersey. (District of Mass. & intervening Districts to appear in Mass). Surrender travel documents (& no new applications). (None). Strict pretrial supervision. Drug testing/treatment. Waives Rule 5(c) hearings. Calendar for 3/22/04 at 10:30 A.M. (gq,) (Entered: 03/15/2004)
03/08/2004	4	ADVICE OF PENALTIES AND SANCTIONS as to Lance Steven Tirso Roxas. (gq,) (Entered: 03/15/2004)
03/15/2004		RULE 5(c)(3) DOCUMENTS SENT as to Lance Steven Tirso Roxas from the U.S.D.C. Southern District of New York to the United States District Court - District of Massachusetts. Sent original file along with documents numbered 1-4, certified copies of: Rule 5(c)(3) Documents, the docket sheet, and letter of acknowledgment on 3/15/2004. (gq,) (Entered: 03/15/2004)

ORIGINAL

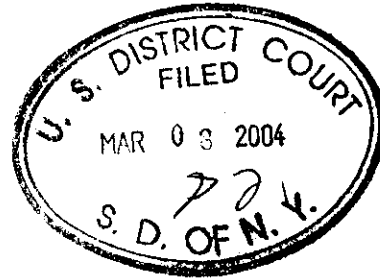
DOC # 1

04 MAG 483

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK----- x
UNITED STATES OF AMERICA :

- v. - :

LANCE STEVEN TIRSO ROXAS, :

Defendant. :
----- xRULE 5(C)(3) AFFIDAVIT

SOUTHERN DISTRICT OF NEW YORK, ss.:

WILLIAM T. NOONE, being duly sworn, deposes and says that he is a Special Agent with the Diplomatic Security Service of the United States Department of State ("DSS"), and charges as follows:

On or about February 19, 2004, the United States District Court for the District of Massachusetts issued a Warrant for the Arrest of "Lance Steven Tirso Roxas" (the "Arrest Warrant"). The Arrest Warrant was issued based upon a Complaint charging "Lance Steven Tirso Roxas" with conspiracy to commit passport fraud, in violation of Title 18, United States Code, Section 371. Copies of the Arrest Warrant and Complaint are attached hereto as Exhibits A and B respectively.

I believe that LANCE STEVEN TIRSO ROXAS, the defendant, who was arrested on March 8, 2004, in the Southern District of New York, is the same individual as the "Lance Steven Tirso Roxas," who is wanted in the District of Massachusetts.

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am currently assigned to the New York field office of the DSS. This affidavit is based in part on my conversations with other persons and law enforcement officers and my review of reports and records. Because this affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned relating to LANCE STEVEN TIRSO ROXAS, the defendant. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, unless otherwise indicated.

A TRUE COPY
UNITED STATES MAGISTRATE
FOR THE SOUTHERN DISTRICT OF N.Y.
[Signature] DEPUTY CLERK

2. On or about January 14, 2004; I was contacted by a Special Agent ("Special Agent") of DSS's Boston, Massachusetts field office. The Special Agent informed me of his office's investigation of LANCE STEVEN TIRSO ROXAS, the defendant, for passport fraud and that he had information that ROXAS was residing in Thoms River, New Jersey. The Special Agent faxed me a request for investigation that included what was believed to be ROXAS's address.

3. Based upon my review of the information provided to me by the Special Agent, I know that a person using the identity of a "Lance Steven Tirso Roxas" applied for a United States passport at the United States Passport Office in Cambridge, Massachusetts, on or about March 4, 2002. The passport was not issued because it was believed that the person claiming to be "Lance Steven Tirso Roxas" was not the real "Lance Steven Tirso Roxas."

4. On or about January 14, 2004, I went to the Thoms River, New Jersey address the Special Agent had provided to me. There I spoke with a woman who identified herself as the mother of LANCE STEVEN TIRSO ROXAS, the defendant. She informed me that ROXAS lives with her but that he was not home at the time. She further informed me that ROXAS works at Crunch Fitness Center at 144 West 38th Street, New York, New York.

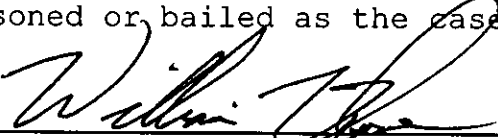
5. On or about January 15, 2004, I went to the Crunch Fitness Center at 144 West 38th Street and interviewed LANCE STEVEN TIRSO ROXAS, the defendant. ROXAS provided a written statement in which he acknowledged his identity and admitted that he provided another individual documents - ROXAS's documents - bearing the name "Lance Steven Tirso Roxas" to be used in connection with a fraudulent passport application to be submitted by that person.

6. On or about January 15, 2004, using information provided to me by LANCE STEVEN TIRSO ROXAS, the defendant, I located the person to whom ROXAS's identity documents had been given. I interviewed the individual, who admitted that he filed a false passport application using ROXAS's identity and documents provided to him by ROXAS.

8. On or about February 19, 2004, the Arrest Warrant was issued for ROXAS based in part on results of my investigation, which are outlined above.


9. For all the foregoing reasons, I believe that LANCE STEVEN TIRSO ROXAS, the defendant, is "Lance Steven Tirso Roxas," the subject of the Arrest Warrant.

WHEREFORE, deponent prays that LANCE STEVEN TIRSO ROXAS, the defendant, be imprisoned or bailed as the case may be.



WILLIAM T. NOONE
Special Agent
United States Department of State
Diplomatic Security Service

Sworn to before me this
8th day of March, 2004.



THE HONORABLE MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

AO 442 (Rev. 5/93) Warrant for Arrest

United States District Court

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

WARRANT FOR ARREST

V.
LANCE STEVEN TIRSO ROXAS

CASE NUMBER: 04-1655-CBS

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest LANCE STEVEN TIRSO ROXAS
Name

and bring him ~~over~~ forthwith to the nearest magistrate judge to answer a(1)

☐ Indictment ☐ Information ☒ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation
Petition

charging him ~~under~~ with (brief description of offense)
conspiring to make a false statement on a passport application in violation of 18 U.S.C. s. 1542,

in violation of
Title

18

United States District Court Section 371

CHARLES E. SWARTWOOD III

Name of Issuing Officer

Signature of Issuing Officer



UNITED STATES MAGISTRATE JUDGE

Title of Issuing Officer

Location

04 @ Boston, MA.

Bail fixed at \$

by

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

This form was electronically produced by Elite Federal Forms, Inc.

FAX TO CHRIS GARCIA
212 637 2527 AUSA 1 of 4

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

LANCE STEVEN TIRSO ROXAS

CRIMINAL COMPLAINT

CASE NUMBER: 04-1655-CBS

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 4, 2002 in Middlesex county, in the

District of Massachusetts defendant did, (Track Statutory Language of Offense)

conspire with another to willfully and knowingly make a false statement in an application for a passport with the intent to induce or secure the issuance of a U.S. passport, in violation of 18 U.S.C. s. 1542,

in violation of Title 18 United States Code, Section(s) 371

I further state that I am a Special Agent, DSS and that this complaint is based on the following facts:
Official Title

See attached affidavit of DSS Special Agent Herman L. Arnold

Continued on the attached sheet and made a part hereof:

☒ Yes☐ No

Herman L. Arnold
Signature of Complainant

Sworn to before me and subscribed in my presence,

02-19-2004

Date

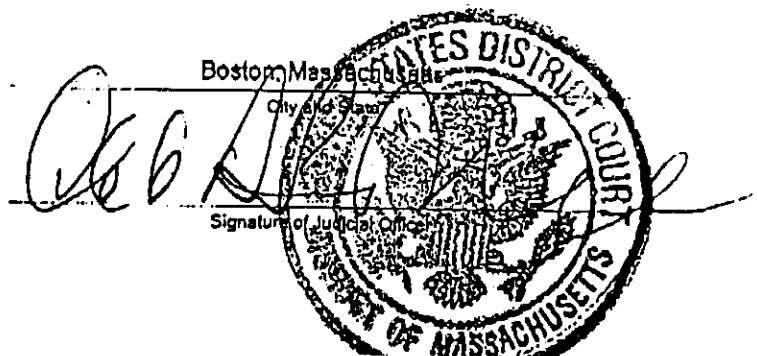
at

Boston, Massachusetts

City and State

CHARLES B. SWARTWOOD III
United States Magistrate Judge

Name & Title of Judicial Officer



Signature of Judicial Officer

AFFIDAVIT

I, Herman L. Arnold, having been duly sworn, hereby depose and state as follows:

1. I am a Special Agent of the United States Department of State, Diplomatic Security Service ("DSS"), and have been so employed since August, 2002. As part of my official duties, I am assigned to investigate violations of matters relating to the U.S. Department of State, including passport and visa fraud, illegal, improper use and possession of identification documents and false statements made to illegally obtain passports and visas.

2. The information set forth in this affidavit is based upon my investigation as well as information provided by the Boston Passport Agency, and other public agencies. In submitting this affidavit, however, I have not included each and every fact known to me about the investigation, but only those facts that I believe are sufficient to establish probable cause to believe that an individual named Lance Steven Tirso ROXAS conspired with another to willfully and knowingly make a false statement in an application for a passport with the intent to induce or secure the issuance of a U.S. passport, in violation of Title 18, United States Code, Section 371 and Title 18, United States Code, Section 1542.

3. On March 4, 2002, a person using the identity of Lance Steven Tirso ROXAS submitted an application ("DS-11") for a

United States passport at the U.S. Post Office located in Cambridge, MA. A copy of the passport application is appended hereto as Exhibit A. In support of the application, the person submitted a birth certificate in the name of Lance Steven Tirso Roxas from the Board of Health and Vital Statistics of Hudson County, Jersey City, New Jersey, reflecting that the person was born on May 9, 1971, in Jersey City, New Jersey. A copy of the birth certificate is appended hereto as Exhibit B. The person signed the application in the presence of an authorized passport acceptance clerk, attesting that all of the information contained therein was true. Also, as required, the applicant submitted two photographs of himself and one was attached to the passport application at the time of its submission.

4. On January 14, 2004, Diplomatic Security Service Special Agent William T. Noone of the New York Field Office of the Diplomatic Security Service interviewed the person who submitted the application. He admitted that his true name is Renald Jean-Baptiste, and that he falsely claimed to be Lance Steven Tirso Roxas in submitting the March 4, 2002 passport application. Jean-Baptiste stated that he acquired the identity documents for the passport application from the true Lance Steven Tirso Roxas. A copy of Jean-Baptiste's sworn statement is appended hereto as Exhibit C.

5. On January 14, 2004, the true Lance Steven Tirso ROXAS

was interviewed by Diplomatic Security Service Special Agent William T. Noone of the New York Field Office of the Diplomatic Security Service. ROXAS admitted that he supplied Renald Jean-Baptiste with identification documents for the purpose of aiding him in obtaining employment and a U.S. Passport, knowing that Jean-Baptiste was not entitled to a U.S. Passport. A copy of Lance Steven Tirso Roxas's sworn statement is appended hereto as Exhibit D.

6. Based on the foregoing, I have probable cause to believe that Lance Steven Tirso ROXAS, did conspire to willfully and knowingly make a false statement in an application for a passport with the intent to induce or secure the issuance of a U.S. passport, for the use of another, in violation of Title 18, United States Code, Sections 371 and 1542.

I certify that the foregoing is true and correct. Executed at Boston, Massachusetts, this 19th day of February, 2004.



HERMAN L. ARNOLD
Special Agent
U.S. Department of State,
Diplomatic Security Service

Subscribed and sworn before me this 19th day of February, 2004, in Boston, Massachusetts.



CHARLES B. SWARTWOOD
United States Magistrate



UNCLASSIFIED

Form DS-439		To: Special Agent in Charge CHRIS PAUL	
DEPARTMENT OF STATE LEAD SHEET Request for Investigation		DATE SENT 02/24/2004	DATE DUE / /
CASE NAME ROXAS, LANCE STEVEN TIRSO		MAIDEN NAME	DS CASE NR P-2004-00144
TRUE NAME ROXAS, LANCE STEVEN TIRSO			FOC CASE NR 200409016
DATE OF BIRTH 05/09/1971	PLACE OF BIRTH NEW JERSEY, NJ-US	SEX M	
DETAILS:			
<p>On March 4, 2002, SUBJECT applied for a US Passport under the identity of Lance Steven ROXAS, D/POB: 05/09/71, Jersey City (Hudson County), New Jersey. In support of his application, SUBJECT presented State of New Jersey, Birth Certificate, Massachusetts ID card, Aetna health insurance card, and a credit card, all issued in the name of Lance Steven ROXAS. The Boston Passport Agency referred it to DS/FLD/BFO for investigation based on several fraud indicators. Further investigations revealed the true identity of the applicant on the DS-11 is not Lance Steven ROXAS, D/POB: 05/09/71, Jersey City, NJ.</p> <p>On January 14, 2004, SA William Noone interviewed both the true Lance ROXAS, and Renald JEAN-Baptiste. JEAN-Baptiste admitted to applying for a U.S. passport in the identity of Lance ROXAS. The JEAN-Baptiste stated he needed the passport in order to travel with the Celine Dion dance group. ROXAS (SUBJECT) confessed to supplying JEAN-Baptiste his identity documents in order for JEAN-Baptiste to obtain a passport, knowing JEAN-Baptiste was not entitled to a passport.</p> <p>On February 19, 2004, an arrest warrant was issued for Renald JEAN-Baptiste in the District of Massachusetts. Copies of the warrant and complaint will be faxed to NYFO.</p> <p>BFO would like to request NYFO to locate and arrest the SUBJECT, and present him before the nearest magistrate for his initial hearing. SA William Noone is fully aware of the particulars of this case, and should be available to assist in any last minute situations that may arise</p> <p>Point of Contact for this request is as follows: Herman Arnold (DS/FLD/BFO) Tel: 617-565-8217 Cell: 617-320-6372 Fax: 617-565-8222</p>			
DISTRIBUTION:		FROM: ARNOLD, HERMAN L	
		SAC/RSQ:	

UNCLASSIFIED

DOC #

FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR ATTORNEY FEES OR OTHER COURT SERVICES WITH NO PAYMENT OF FEE

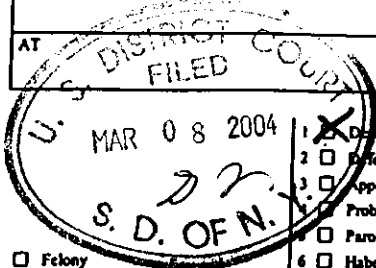
IN UNITED STATES ☐ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

IN THE CASE OF

USA v.s. Roxa

FOR

AT



LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

LANC6 ROXAS

CHARGE/OFFENSE (describe if applicable & check box →)

☐ Felony☐ Misdemeanor

- 1 ☒ Defendant—Adult
 2 ☐ Defendant—Juvenile
 3 ☐ Appellant
☐ Probation Violator
☐ Parole Violator
 6 ☐ Habeas Petitioner
 7 ☐ 2255 Petitioner
 8 ☐ Material Witness
 9 ☐ Other

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

EMPLOYMENT	Are you now employed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Am Self-Employed
	Name and address of employer: NYH + Racket Club
	IF YES, how much do you earn per month? \$ 6500
	IF NO, give month and year of last employment
	How much did you earn per month? \$
	If married is your Spouse employed? <input type="checkbox"/> Yes <input type="checkbox"/> No
	IF YES, how much does your Spouse earn per month? \$
	If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$
OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES
CASH	Have you any cash on hand or money in savings or checking accounts? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ 13,000.-
PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	IF YES, GIVE THE VALUE AND DESCRIBE IT

MARITAL STATUS

- ☒ SINGLE
☐ MARRIED
☐ WIDOWED
☐ SEPARATED OR DIVORCED

Total No. of Dependents

List persons you actually support and your relationship to them

DEPENDENTS

OBLIGATIONS & DEBTS

DEBTS & MONTHLY BILLS

(LIST ALL CREDITORS INCLUDING BANKS, LOAN COMPANIES, CREDIT CARD ACCOUNTS, ETC.)

APARTMENT OR HOME:

Creditors

Total Debt

Monthly Paymt.

College Tuition - 7,000/year
 Life Insurance - 200/month
 Car Payment + Ins. - 650/month
 Commute - 1000.-/month
 Food - 800

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date)

3/8/04

SIGNATURE OF DEFENDANT (OR PERSON REPRESENTED)

A TRUE COPY
 UNITED STATES MAGISTRATE
 FOR THE SOUTHERN DISTRICT OF N.Y.
 DEPUTY CLERK

3/8/04

CHRISTOPHER GARCIA
AUSADATE OF ARREST today☐ VOL. SURRENDER
☐ ON WRITTIME OF ARREST 2 PM

MAGISTRATE'S

DOCKET NUMBER 04 MAG 483TIME OF PRESENTMENT 7:05 PMPROCEEDING: ☐ Rule 5 ☐ Rule 9 ☐ Rule 40 ☐ Detention Hearing☒ Other: RS(C)(3)☐ INTERPRETER NEEDED LANGUAGE: ✓DEFENDANT'S NAME: LANCE STEVEN TIRSO ROSASCOUNSEL'S NAME: Robert Spoury☐ RETAINED☐ LEGAL AID☒ CJA

BAIL DISPOSITION

☐ DETENTION ☐ ON CONSENT W/O PREJUDICE ☐ SEE DETENTION ORDER☐ DETENTION HEARING SCHEDULED AT DEFENDANT'S REQUEST FOR _____☒ AGREED BAIL PACKAGE☒ \$ 20,000 — PRB☐ _____ FRP☐ \$ _____ CASH/PROPERTY: _____☒ TRAVEL RESTRICTED TO SDNY/EDNY/ DNY (D Must interview district to appear)☒ SURRENDER TRAVEL DOCUMENTS (& NO NEW APPLICATIONS) none (in Mass)☐ REGULAR PRETRIAL ☒ STRICT PRETRIAL ☒ DRUG TESTING/TREATMENT☐ HOME INCARCERATION ☐ HOME DETENTION ☐ CURFEW ☐ ELECTRONIC MONITORING:

CONDITIONS: _____

☐ DEFENDANT TO BE RELEASED UPON FOLLOWING CONDITIONS: _____

REMAINING CONDITIONS TO BE MET BY _____

☐ OTHER: _____Waives Rule 5(c) hearingsCalendar for 3/22 10 30 AM

FOR RULE 40 CASES:

☐ ID HEARING WAIVED☐ DEFENDANT TO BE REMOVED☐ PRELIMINARY HEARING WAIVED☐ ON DEFENDANT'S CONSENTA TRUE COPY
UNITED STATES MAGISTRATE
FOR THE SOUTHERN DISTRICT OF N.Y.
DEPUTY CLERK

DATE FOR PRELIMINARY HEARING _____

☐ ON DEFENDANT'S CONSENT

COMMENTS AND ADDITIONAL PROCEEDINGS: _____

DATE 3/8/04[Signature]
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

AO 98 (Rev. 8/85)

DOC # 3

United States District Court
SOUTHERN DISTRICT OF NEW YORK

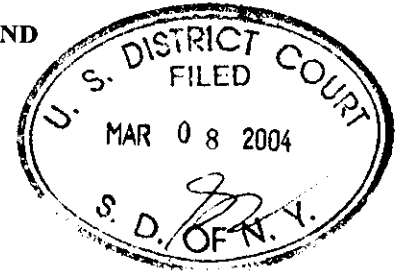
UNITED STATES OF AMERICA
v.

APPEARANCE BOND
CASE NUMBER

LANCE STEVEN TIRSO ROXAS

04 MAG 483

Defendant



Non-surety: I, the undersigned defendant acknowledge that I and my...

Surety: We, the undersigned, jointly and severally acknowledge that we and our...
personal representatives, jointly and severally, are bound to pay to the United States of America the sum of

\$ 20,000 , and there has been deposited in the Registry of the Court the sum of

\$ XXXXXXXXXXXXXXXXXXXXXXX -in cash or XXXXXXXXXXXXXXXXXXXXXXX

Describe other security

The conditions of this bond are that the defendant

LANCE STEVEN TIRSO ROXAS

Name

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States district court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such a manner by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgement.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States district court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States district court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on March 8, 2004 at U.S. Courthouse, 500 Pearl Street, New York, N.Y. 10007

Date

Defendant

LANCE STEVEN TIRSO ROXAS

Address

3136 CC2ND ST DR
MANHATTAN NY

Surety

Address

08753

Surety

Address

Signed and acknowledged before me on

March 8, 2004

Date

Approved:

Judicial Officer

AUSA CHRISTOPHER GARCIA

Judicial Officer/Clerk

A TRUE COPY
UNITED STATES MAGISTRATE
FOR THE SOUTHERN DISTRICT OF N.Y.
DEPUTY CLERK

CS/97 B.Kalishakos U.S.D.C.-S.D.N.Y.

Advice of Penalties and Sanctions

TO THE DEFENDANT:

LANCE STEVEN TIRSO ROXAS 04MAG483

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

3/8/04

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

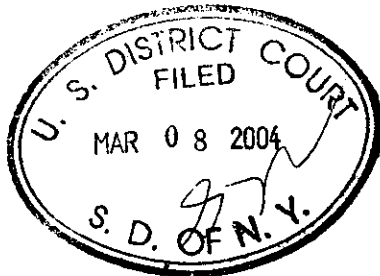
3136 OCEAN DR

Address

City and State

Telephone

Defendant Released



A TRUE COPY
UNITED STATES MAGISTRATE
FOR THE SOUTHERN DISTRICT OF N.Y.
DEPUTY CLERK